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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/524,029	03/13/2000	Cynthia S. Bell	ITL.0333US (P8221)	6169
21906 7590 02/26/2009 TROP, PRUNER & HU, P.C. 1616 S. VOSS ROAD, SUITE 750 HOUSTON, TX 77057-2631			EXAMINER BODDIE, WILLIAM	
			ART UNIT 2629	PAPER NUMBER
			MAIL DATE 02/26/2009	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte CYNTHIA S. BELL

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Application No. 09/524,029  
Technology Center: 2600

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Mailed: February 26, 2009

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Before GLORIA HENDERSON, *Review Team Paralegal*  
HENDERSON, *Review Team Paralegal*.

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on February 18, 2009. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matters requiring attention prior to docketing are identified below.

EXAMINER'S ANSWER, ENGLISH TRANSLATIONS

The following certified English translation for Japanese Patent (JP 08/242,398) listed under the Evidence Relied Upon section of the Examiner's Answer filed on September 16, 2008, is missing from the IFW file. Appropriate correction is required. MPEP 1207.02 states in part:

If a document being relied upon by the examiner in support of a rejection is in a language other than English, a translation must be obtained so that the record is clear as to the precise facts the examiner is relying upon in support of the rejection. The translation should be obtained prior to the appeal conference so that the participants of the appeal conference can consider the translation. The examiner should reference the pertinent portions of the translation at least in the grounds of rejection section of the answer. See MPEP § 706.02 for reliance upon abstracts and foreign language documents in support of a rejection.

**Accordingly, it is**

**ORDERED** that the application is being electronically returned to the Examiner:

- 1) to have a complete certified English translations for the Japanese Patent (JP 08/242,398) scanned into the record; and
- 2) for such further action as may be appropriate.

Application No. 09/524,029

If there are any questions pertaining to this Order, please contact the Board of Patent Appeals and Interferences at 571-272-9797.

GJH

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